

United States District Court
For the Northern District of California

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5 OSCAR GATES,

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8 No. C 88-2779 WHA

9 Petitioner,

10 **ORDER**

11 v.

12 KEVIN CHAPPELL, Warden,

13 Respondent.
_____ /

14 Per the CMC held on May 16, 2013, the Court hereby ORDERS the following:

- 15 1) This matter is referred to Magistrate Judge Laurel Beeler for a settlement
16 conference.
- 17 2) Within a week of the date of this Order, the parties are directed to meet and
18 confer regarding record-based claims in the petition, and to submit a list of ten claims most
19 appropriate for adjudication at this time. If the parties cannot agree on the same ten claims,
20 each side is ORDERED to submit a separate list to the Court.
- 21 3) Petitioner's counsel is given leave of the Court to file a motion requesting
22 transfer of petitioner Gates to a suitable mental health correctional facility for attempted
23 restoration of petitioner's competency.

24 **IT IS SO ORDERED.**

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26 Dated: May 16, 2013.

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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE